

## **MINUTES**

### **MONTANA SENATE 65th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON JUDICIARY**

**Call to Order:** Chair Keith Regier, on February 7, 2017 at 9:00 AM, in Room 303 Capitol

#### **ROLL CALL**

##### **Members Present:**

Sen. Keith Regier, Chair (R)  
Sen. Jennifer Fielder, Vice Chair (R)  
Sen. Jen Gross (D)  
Sen. Steve Hinebaugh (R)  
Sen. Jedediah Hinkle (R)  
Sen. Margaret (Margie) MacDonald (D)  
Sen. Diane Sands (D)  
Sen. Nels Swandal (R)  
Sen. Chas Vincent (R)

**Members Excused:** Sen. Scott Sales (R)

**Members Absent:** None

**Staff Present:** Julianne Burkhardt, Legislative Branch  
Pam Schindler, Committee Secretary

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

##### **Committee Business Summary:**

Hearing & Date Posted: HB 237, 1/31/2017; HB 202, 2/1/2017; SB 172, 2/1/2017  
Executive Action: SB 153-Do Pass As Amended, SJ 7-Tabled

**HEARING ON SB 172**

**Opening Statement by Sponsor:**

00:01:00 Sen. Mike Lang (R), SD 17, opened the hearing on SB 172, Prohibit sale of fishing or hunting license if child support owed.

**Proponents' Testimony:**

00:04:35 Sarah Swanson Partridge, self, Glasgow

00:07:32 Nick Gevock, conservation director, Montana Wildlife Federation (MWF)

**Opponents' Testimony:**

None

**Informational Testimony:**

00:08:37 Hank Worsech, License Bureau chief, Fish, Wildlife, and Parks (FWP)

00:08:52 Chad Dexter, Child Support Enforcement Division, Department of Public Health and Human Services (DPHHS)

**Questions from Committee Members and Responses:**

00:09:15 Sen. Fielder

00:09:47 Mr. Worsech, FWP

00:10:25 Sen. Fielder

00:10:49 Mr. Gevock, MWF

00:11:30 Sen. Sands

00:12:02 Mr. Dexter, DPHHS

00:17:23 Sen. Gross

00:17:46 Mr. Worsech

00:18:03 Sen. Gross

00:18:10 Mr. Gevock

00:18:29 Chairman Regier

00:18:34 Sen. Fielder

00:19:57 Sen. Lang

00:23:18 Chairman Regier

00:23:29 Mr. Worsech

00:24:22 Sen. Hinkle

00:25:23 Mr. Dexter

00:29:33 Sen. Fielder

00:29:56 Mr. Dexter

00:32:01 Sen. MacDonald

00:32:19 Mr. Dexter

**Closing by Sponsor:**

00:35:43 Sen. Lang

**HEARING ON HB 237**

**Opening Statement by Sponsor:**

00:38:19 Rep. Ron Ehli (R), HD 86, opened the hearing on HB 237, Create grant program for behavioral health crisis response by law enforcement.

**Proponents' Testimony:**

00:41:56 Jim Anderson, sergeant, Gallatin County Sheriffs Department; coordinator, Crisis Intervention Team/Montana  
 00:45:18 Debbie Matteucci, director, Montana Board of Crime Control (MBCC)  
 00:50:06 Ingrid Hill, mental health counselor, Crisis Intervention Team/Montana  
 00:52:12 Shane Hildenstab, sergeant, Lewis and Clark County Sheriffs Department (LCSD); also for Sheriff Leo Dutton, Lewis and Clark County  
 00:52:45 Dave Galt, Montana Sheriffs and Peace Officers Association  
 00:53:07 Kathy McGowan, Montana Community Mental Health Centers  
 00:55:10 John Wilkinson, self  
 00:58:22 Sheryl Wood, associate director, Montana Association of Counties  
 00:59:26 Mike Foster, Sisters of Charity Leavenworth Healthcare Systems (SCLHS)  
 01:00:07 Bill Warden, St. Peter's Hospital, Helena; Bozeman Health  
 01:00:27 Mark Murphy, Montana County Attorneys Association (MCAA); Montana Association of Chiefs of Police; Montana Police Protective Association; instructor, Crisis Intervention Team/Montana  
 01:02:14 Jean Branscum, chief executive officer, Montana Medical Association  
 01:03:38 Beth Breneman, Disability Rights Montana

**Opponents' Testimony:**

None

**Informational Testimony:**

01:04:27 Dennis Nyland, coordinator, Crisis Intervention Team/Montana

**Questions from Committee Members and Responses:**

01:04:50 Sen. Sands  
 01:05:29 Mr. Hildenstab, LCSD  
 01:06:09 Sen. MacDonald  
 01:06:47 Mr. Foster, SCLHS  
 01:08:12 Chairman Regier  
 01:08:29 Mr. Murphy, MCAA  
 01:09:52 Sen. Sands  
 01:10:09 Rep. Ehli  
 01:12:17 Ms. Matteucci, MBCC  
 01:16:12 Sen. Hinebauch  
 01:16:29 Ms. Matteucci  
 01:17:26 Sen. Vincent  
 01:17:41 Rep. Ehli

**Closing by Sponsor:**

01:17:52 Rep. Ehli

**HEARING ON HB 202**

**Opening Statement by Sponsor:**

01:20:35 Rep. Kirk Wagoner (R), HD 75, opened the hearing on HB 202, Generally revise laws related to government employees and officers.

**Proponents' Testimony:**

01:26:03 Carol Bondy, self; former Audit Bureau chief, Department of Public Health and Human Services

**Opponents' Testimony:**

None

**Informational Testimony:**

01:31:26 Al Smith, Montana Trial Lawyers Association (MTLA)

01:31:53 Jaimie MacNaughton, legal counsel, Commissioner of Political Practices (COPP)

**Questions from Committee Members and Responses:**

01:32:57 Sen. Vincent  
01:33:10 Mr. Smith, MTLA  
01:33:38 Sen. Fielder  
01:34:50 Rep. Wagoner  
01:37:27 Sen. Swandal  
01:38:00 Mr. Smith  
01:38:26 Sen. Hinkle  
01:38:58 Rep. Wagoner  
01:42:13 Sen. Gross  
01:42:37 Rep. Wagoner  
01:45:29 Sen. Sands  
01:45:52 Ms. MacNaught, COPP

**Closing by Sponsor:**

01:46:38 Rep. Wagoner

01:47:58 Recess

02:00:28 Reconvene

Sen. Sales entered the hearing room.

**EXECUTIVE ACTION ON SB 153**

02:00:44 **Motion:** Sen. Fielder moved that **SB 153 DO PASS.**

02:01:30 **Motion:** Sen. Swandal moved that **SB 153 BE AMENDED.**  
**EXHIBIT(jus27a01)**

**Discussion:**

02:02:27 Sen. MacDonald

02:03:53 Sen. Gross

02:05:35 **Vote:** Motion carried 9-1 by roll call vote with Sen. Gross voting no.

02:05:38 **Motion:** Sen. Fielder moved that **SB 153 DO PASS AS AMENDED.**

**Discussion:**

02:05:49 Sen. Sales

02:06:18 Sen. Swandal

02:08:07 Sen. Fielder

02:09:09 **Vote:** Motion carried 8-2 by roll call vote with Sen. S. Sales and Sen. Vincent voting no.

**EXECUTIVE ACTION ON SJ 7**

02:09:50 **Motion:** Sen. Fielder moved that **SJ 7 BE ADOPTED.**

**Discussion:**

02:10:23 Sen. Sales

02:11:39 Chairman Regier

02:11:58 Sen. Fielder

02:13:01 Sen. Hinkle

02:13:35 Chairman Regier

02:13:42 Sen. Gross

02:14:22 **Vote:** Motion failed 3-7 by roll call vote with Sen. Gross, Sen. MacDonald and Sen. K. Regier voting aye.

02:16:02 **Motion/Vote:** Sen. Fielder moved that **SJ 7 BE TABLED AND THE VOTE REVERSED.** Motion carried without objection.

**ADJOURNMENT**

Adjournment: 11:16 A.M.

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Pam Schindler, Secretary

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Additional Documents:

**EXHIBIT([jus27aad.pdf](#))**